

# Drone Law

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## Round Table with:

- Jonathan C. Hayden (Goulston & Storrs, USA)
- Andrew Firman (Carter Lemon Camerons, UK)
- Rufus Ballaster (Carter Lemon Camerons, UK)

**Carter  
Lemon  
Camerons**  
LLP  
Solicitors

*goulston&storrs*

**PRAGMA**  
International





# What We Know Civilian Drones Are Doing

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- Capturing aerial imagery
- Gathering aerial data
- Deployment in transport & carrying





# Drones: International Regulatory Position

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## Convention on International Civil Aviation: Chicago Convention

- 1944 with 52 signatories
- Art 8 provides that *no aircraft capable of being flown without a pilot shall be flown without a pilot over the territory of a contracting State without special authorization by that State and in accordance with the terms of such authorization. Each contracting State undertakes to insure that the flight of such aircraft without a pilot in regions open to civil aircraft shall be so controlled as to obviate danger to civil aircraft.*
- 19 annexes contain global standards and recommended practices (SARPs) upon which regional (e.g EU) & national regulations are created

# Drones: International Regulatory Position

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## International Civil Aviation Organization (ICAO)

- a UN agency
- assists contracting states to Chicago Convention
- responsible for developing SARPs, procedures and guidance materials related to drones
- advises on global standards

# Drones: Domestic Regulatory Position

Regulation & legislation are administered nationally

Position in UK:

- Government responsible for *'proposals for new laws governing drones'*
- Police lead on *'action against the misuse of drones'*
- Aviation regulator (Civil Aviation Authority) works to ensure *'aviation industry meets the highest safety standards'*

# Drones: Domestic Regulatory Position

## Position in the USA:

- Drone oversight and regulation can come from the national government through the Federal Aviation Administration, from any of the 50 individual state governments, or, to the extent permitted by state law, from county, city, or municipal governments.
- It is generally accepted that the Federal Aviation Administration has the authority and power to make laws concerning drone flights where necessary to protect airports and manned aviation.
- Otherwise, there is no settled rule in the United States as to the extent to which either the national government or the state governments can make rules governing drone flights. The drone industry generally prefers that regulation stay with the national government, and privacy advocates are more apt to argue for state regulation of drones.

# Drones: Issues Arising

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- Privacy
- Data Protection
- Incidents & Misuse
- Regulatory Enforcement
- Negligence
- Trespass
- Nuisance
- Misuse of Private Information
- IP



# Drones: Real Life International Scenarios

- Scenario 1: Use to monitor ex-partner (Australia)
- Scenario 2: Use by gangs to disrupt policing (US)
- Scenario 3: Use to drop harmful material on ex-partner (US)
- Scenario 4: Use to survey derelict but secured site to see new ways to trespass (UK)



# St. Joseph's College - Upholland

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# Drones: Dreaming Dreams – the future

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